



HIGH COURT OF CHHATTISGARH AT BILASPUR

CWPIL No. 37 of 2017

Kamal Kumar Dubey (Died) Through Lrs **versus** Union Of India

alongwith

WPPIL/67/2017

Order Sheet

25/07/2025	Heard Mr. Ashish Shrivastava, learned Senior Advocate alongwith Mr. Sandeep Dubey and Mr. Rahul Ambast, learned counsel for the Petitioners. Also heard Mr. Prafull N Bharat, learned Advocate General alongwith Mr. Y.S. Thakur, learned Additional Advocate General, appearing for the State, Ms. Annapurna Tiwari and Mr. Rishabh Dev Singh, learned counsel for the respondents/ Union of India, Mr. Shobhit Mishra, learned counsel for respondent/ Indigo Airlines, Mr. Anumeh Shrivastava, learned counsel for respondent No.2/ AAI and Mr. Shobhit Koshta, learned counsel for respondent No.8/ Alliance

Air, appeared in WPPIL No. 67/2017.

Pursuant to the order dated 07/05/2025 passed by this Court, an affidavit has been filed by the Chief Secretary, Government of Chhattisgarh which is reproduced herein below :-

A. With regard to transfer of land from Army to the State of Chhattisgarh - It is respectfully submitted that working permission has been granted by Ministry of Defence in reply to application made by the State Government for transfer of land to the State. There is difference in cash compensation sought by Ministry of Defence and land valuation calculated by District administration, Bilaspur. Further it is submitted that the State Government is examining the proposal for cash compensation by the Government of India, Ministry of Defense, Defense Estate Office vide letter dated 27.06.2025.

	B. Stage of construction of building electrification work / required for installation of DVOR Civil and electrical work for installation of DVOR is in progress. Installation of Counterpoise for DVOR antenna by AAI team has been completed. Construction of DVOR hut for installation of DVOR and its panel is in progress. According to EEs PWD Civil and E & M letters dated 01.07.2025 and 02.07.2025 respectively, civil and electrical works are scheduled to be completed for by September, 2025. Funds required installation of DVOR has already been released to PWD for carrying out the required work. Additional fund of Rs. 35.53 lakh was sought for special earthing work for DVOR as required by AAI. Aviation department has given consent execution of work vide letter dated 22.07.2025. Copy of
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latest photograph of DVOR installation site is filed herewith as ANNEXURE X/1.

- C. It is further submitted that Technical pre-feasibility report prepared by AAI has already been submitted to the honourable court and now the Economic Pre-feasibility Study report is being prepared. M/s Borkar and Mazumdar, Bilaspur has requested for three weeks more time to submit the report. Further action would be taken after examining the Economic Pre-feasibility Study Report.

Learned Advocate General submits as far as point 'A' i.e. with regard to transfer of land from Army to the State of Chhattisgarh is concerned, there appears to be some dispute between the State Govt. and the Ministry of Defence, Govt. of India with respect to compensation to be paid and he expressed his inability regarding the issue as the call is to be taken by the Ministry of Defence, Govt. of India, New Delhi.

In view of the same, the Court directs the respondent No.2/Ministry of Defence, GOI through its Secretary (WPPIL No. 67/2017) to take a decision within a period of eight weeks from today regarding payment of compensation between the State Government and the Ministry of Defence, Govt. of India, New Delhi.

At this juncture learned AG submits that the State is ready to pay the amount of compensation which has already been calculated by it.

As far as Point 'B' – Stage of construction of building and electrification work/ required for installation of DVOR is concerned, learned AG submits that funds required for installation of DVOR (Doppler VHF Omni Range) has already been released to PWD for carrying out the required work and he further submits that the work will be completed by the month of September, 2025.

In view of the above submission (Point B), the Chief Secretary, Government of Chhattisgarh is

directed to file a fresh affidavit stating about the status of completion of work by the next date of hearing.

We hope and trust that some positive decision will be taken by the Ministry of Defence, Govt. of India, New Delhi in the interest of citizens of Bilaspur for upgrading the Bilasa Devi Kevat Airport, Bilaspur from “3C” category to “4C” category.

List these cases on **06/10/2025**. By which date, the compliance report be submitted by the Secretary, Ministry of Defence, Govt. of India, New Delhi/ respondent No.2 (WPPIL No. 67/2017) and the Chief Secretary, State of Chhattisgarh, Raipur.

Let a copy of this order be sent by Shri Rishabh Deo Singh, learned counsel for respondent No.1/ Union of India to the Secretary, Ministry of Defence, Govt. of India, New Delhi/ respondent No.2 (WPPIL No. 67/2017) for necessary information and compliance forthwith.

S. Bhilwar/ Jyoti

Sd/-
(Bibhu Datta Guru)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice